



1 APPEARANCES: (CONT'D.)

2 TIMOTHY O'BRIEN

Office of the Illinois Attorney General

3 100 W. Randolph Street

Floor 11

4 Chicago, Illinois 60601

5 (Appearing on behalf of the  
People of the State of Illinois  
6 via teleconference.)

7 MICHAEL LANNON

160 N. LaSalle

8 Suite C-800

Chicago, Illinois 60601

9

(Appearing on behalf of staff of  
10 the Illinois Commerce Commission  
via teleconference.)

11

12

13

14

15

16

17

18

19

20

21

22

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

I N D E X

WITNESSES	DIRECT	CROSS
None		

EXHIBITS

	IDENTIFIED	ADMITTED
IAWC Exhibits 1.00-RM, 1.01-RM, 1.00R-RM, 1.01R-RM & 1.02R-RM	e-Docket	29
ICC Staff Exhibits 15.0, 15.1, 16.0, 16.1, 17.0 & 17.1	e-Docket	31

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

PROCEEDINGS

JUDGE JONES: Good morning. I will now call for hearing Docket No. 09-0319. This matter is being heard on remand. It's titled in part Illinois-American Water Company, proposed general increase in water and sewer rates.

At this time, we will again take the appearances orally for the record.

If you have appeared previously, you need not restate your contact information unless you choose to or it has changed.

We will start with the appearance or appearances on behalf of Illinois-American Water Company.

MR. STURTEVANT: Good morning, Your Honor.

Appearing on behalf of Illinois-American Water Company, Albert Sturtevant and Anne Zehr of Whitt Sturtevant LLP. Our information has been previously entered.

JUDGE JONES: All right. Thank you.

Other appearances?

MR. LANNON: Appearing on behalf of the staff

1 of the Illinois Commerce Commission, Michael Lannon,  
2 and our information has already been entered  
3 previously also.

4 JUDGE JONES: All right. Thank you.

5 Other appearances?

6 MR. O'BRIEN: Good morning, Judge.

7 On behalf of the People of the State  
8 of Illinois, Timothy O'Brien, Office of the Illinois  
9 Attorney General, and our information should also be  
10 on file.

11 JUDGE JONES: All right. Thank you.

12 Are there any other appearances?

13 Let the record show there are not.

14 Are the parties who have filed  
15 testimony ready to present that testimony at this  
16 time?

17 MR. STURTEVANT: Your Honor, there may be one  
18 preliminary issue. I was wondering if we could just  
19 go off the record to discuss that with the Attorney  
20 General's Office and Mr. Lannon.

21 MR. O'BRIEN: Thank you, Burt.

22 JUDGE JONES: Okay. At this time, we hereby go  
26

1 off the record for that purpose.

2 (Whereupon an off-the-record  
3 discussion transpired at this  
4 time.)

5 JUDGE JONES: Back on the record.

6 Let the record show there was an  
7 off-the-record discussion for the purposes indicated.

8 Did any of the parties have anything  
9 to state with regard to any off-the-record matters  
10 before we proceed with the presentation of the  
11 testimony?

12 MS. ZEHR: I don't believe so, Your Honor.

13 MR. O'BRIEN: No.

14 MR. LANNON: Staff has nothing, Your Honor.

15 JUDGE JONES: All right. Is Illinois-American  
16 Water Company ready to proceed with the offering of  
17 its testimony into the record?

18 MS. ZEHR: Yes, Your Honor.

19 Illinois-American would like to move  
20 for the admission of various exhibits into the  
21 record.

22 The first is what has been marked as

1 IAWC Exhibit 1.00-RM and accompanying exhibit IAWC  
2 Exhibits 1.01-RM through 1.09-RM. These are the  
3 direct testimony and exhibits on remand of Rich  
4 Kerckhove. They were filed on e-Docket on  
5 February 20th.

6 The second set is what has been marked  
7 as IAWC Exhibit 1.00R-RM and accompanying  
8 Exhibit 1.01R-RM. This is the rebuttal testimony and  
9 exhibits on remand of Rich Kerckhove, and these were  
10 filed on e-Docket on March 15th.

11 The third and final exhibit is what  
12 has been marked as IAWC Exhibit 1.02R-RM. This is an  
13 affidavit of Mr. Kerckhove supporting the previously  
14 referenced testimony, and it was filed on e-Docket on  
15 March 18th.

16 At this time, I would respectfully  
17 move for admission into the record of these exhibits.

18 JUDGE JONES: Thank you.

19 Are there any clarifications or  
20 objections with respect to the admission of those  
21 exhibits?

22 MR. LANNON: No objection from staff, Your

1 Honor.

2 MR. O'BRIEN: No objection from the People.

3 JUDGE JONES: Let the record show those  
4 exhibits are hereby admitted into the evidentiary  
5 record as filed on e-Docket. The filing dates are  
6 shown on e-Docket and are the same filing dates that  
7 were just identified in the motion to admit the  
8 exhibits.

9 I would note that some of the exhibits  
10 were filed in the proprietary and public versions.

11 (Whereupon IAWC Exhibits  
12 1.00-RM, 1.01-RM, 1.00R-RM,  
13 1.01R-RM & 1.02R-RM were  
14 admitted into evidence at this  
15 time.)

16 JUDGE JONES: Does that conclude  
17 Illinois-American Water Company's presentation of  
18 their testimony?

19 MS. ZEHR: Yes, Your Honor.

20 JUDGE JONES: All right. Thank you.

21 Mr. Lannon, are you ready to proceed  
22 with staff testimony?



1 MR. LANNON: Yes, Your Honor. Thank you.

2 On March 6th, Your Honor, staff filed  
3 three pieces of direct testimony on remand. The  
4 first one, Staff Exhibit 15.0, is the direct  
5 testimony on remand of Christopher Boggs, and in  
6 support of that testimony, on yesterday, March 19th,  
7 staff filed Staff Exhibit No. 15.1 which is the  
8 affidavit of Christopher Boggs in support of Staff  
9 Exhibit 15.0.

10 On March 6th, staff also filed Staff  
11 Exhibit 16.0, the direct testimony on remand of  
12 Sheena Kight-Garlisch, and yesterday we filed Staff  
13 Exhibit No. 16.1 which is the affidavit of Sheena  
14 Kight-Garlisch in support of Staff Exhibit 16.0.

15 Also on March 6th, we filed Staff  
16 Exhibit 17.0 which is the direct testimony on remand  
17 of Mr. Ostrander, and again yesterday we filed Staff  
18 Exhibit No. 17.1 which is the affidavit of  
19 Mr. Ostrander in support of Staff Exhibit 17.0.

20 I'd move for all those exhibits to be  
21 entered into the record, Your Honor.

22 JUDGE JONES: Thank you.

1                   Are there any clarifications or  
2                   objections with respect to the admission of any of  
3                   those items?

4                   MS. ZEHR: No objection from the company.

5                   MR. O'BRIEN: No objection from the People.

6                   JUDGE JONES: Thank you.

7                   Let the record show that those ICC  
8                   staff exhibits are hereby admitted into the  
9                   evidentiary record. They're admitted as filed on  
10                  e-Docket on the dates identified by Mr. Lannon and as  
11                  identified on e-Docket, and the exhibit numbers are  
12                  the same ones shown on e-Docket and just identified  
13                  in Mr. Lannon's motion.

14                                   (Whereupon ICC Staff Exhibits  
15                                   15.0, 15.1, 16.0, 16.1, 17.0 and  
16                                   17.1 were admitted into evidence  
17                                   at this time.)

18                  JUDGE JONES: Do the parties have anything else  
19                  to take up today before we conclude the hearing  
20                  subject to the previously announced post-hearing  
21                  filing schedule?

22                  MS. ZEHR: Nothing from the company, Your

1 Honor.

2 MR. LANNON: Nothing from staff, Your Honor.

3 MR. O'BRIEN: Nothing additional from the  
4 People except to note that any of our position  
5 statements will be reflected in the draft order that  
6 we produce to you.

7 JUDGE JONES: Thank you.

8 Anything further then?

9 There being nothing further, let the  
10 record show that today's hearing is concluded.

11 At the prior hearing, the date for I  
12 think what was referred to as an agreed draft order  
13 was stated as April 15, 2013.

14 Anything else to say with respect to  
15 that?

16 MS. ZEHR: No, Your Honor.

17 JUDGE JONES: Okay. At this time then, let the  
18 record show that this matter is hereby marked heard  
19 and taken on remand subject, as noted, to the  
20 above-referenced post-hearing revised schedule.

21 Thank you all.

22 Also, thanks to counsel for

1 Illinois-American for circulating a call-in number.

2 Have a good rest of the day.

3 HEARD AND TAKEN.

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22